

Introduced \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Council Action \_\_\_\_\_  
Executive Action \_\_\_\_\_  
Effective Date \_\_\_\_\_

## County Council Of Howard County, Maryland

2004 Legislative Session

Legislative Day No. **12**

**Bill No. 63 -2004**

Introduced by: The Chairman at the request of the County Executive

AN ACT adopting certain national codes as the Howard County Property Maintenance Code for Rental Housing; adopting local amendments; making provisions for a rental housing license; setting forth the notice and order process for violations of rental housing licensing provisions; the appeal process, penalties and enforcement; and generally relating to the Howard County Property Maintenance Code for Rental Housing.

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Introduced and read first time \_\_\_\_\_, 2004. Ordered posted and hearing scheduled.

By order \_\_\_\_\_  
Sheila M. Tolliver, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on \_\_\_\_\_, 2004.

By order \_\_\_\_\_  
Sheila M. Tolliver, Administrator

This Bill was read the third time on \_\_\_\_\_, 2004 and Passed \_\_\_\_, Passed with amendments \_\_\_\_, Failed \_\_\_\_.

By order \_\_\_\_\_  
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_\_ day of \_\_\_\_\_, 2004 at \_\_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Sheila M. Tolliver, Administrator

Approved by the County Executive \_\_\_\_\_, 2004

\_\_\_\_\_  
James N. Robey, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. *Be It Enacted*** by the County Council of Howard County, Maryland, that  
2 *Section 3.700 “Howard County Property Maintenance Code for rental housing” and*  
3 *Section 3.701 “ “Amendments to the property maintenance code for rental housing” of*  
4 *Subtitle 7 “Property Maintenance Code for Rental Housing” of Title 3 “Buildings” of*  
5 *the Howard County Code are hereby repealed.*

6  
7 **Section 2. *Be It Further Enacted*** by the County Council of Howard County, Maryland,  
8 *that Section 14.900 “Definitions”, Section 14.901 “Rental Housing License”, Section*  
9 *14.902 “Enforcement authority”, Section 14.903 “Notices and Orders”, Section 14.904*  
10 *“Emergency order; demolition” and Section 14.905 “Appeal” of Subtitle 9 “Rental*  
11 *Housing License” of Title 14 “Licenses, Inspections and Permits” of the Howard County*  
12 *Code are hereby repealed.*

13  
14 **Section 3. *Be It Further Enacted*** by the County Council of Howard County, Maryland,  
15 *that Section 3.700 “Howard County Property Maintenance Code for rental housing” is*  
16 *added to Subtitle 7 “Property Maintenance Code for Rental Housing” of Title 3*  
17 *“Buildings” of the Howard County Code to read as follows:*

18  
19 **TITLE 3. BUILDINGS.**

20 **SUBTITLE 7. PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING.**

21  
22 **SECTION 3.700. HOWARD COUNTY PROPERTY MAINTENANCE CODE**  
23 **FOR RENTAL HOUSING.**

24 (A) *ADOPTION OF NATIONAL CODE.* EXCEPT AS PROVIDED IN  
25 SUBSECTION (B) OF THIS SECTION, THE INTERNATIONAL PROPERTY  
26 MAINTENANCE CODE, 2003, AS PUBLISHED BY THE INTERNATIONAL  
27 CODE COUNCIL IS HEREBY ADOPTED AS THE HOWARD COUNTY  
28 PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING.

29 (B) *LOCAL AMENDMENTS.* THE FOLLOWING AMENDMENTS MODIFY  
30 CERTAIN PROVISIONS OF THE ADOPTED CODE.

31 (1) *IN GENERAL.*

- (I) AS USED IN THIS SUBTITLE, THE TERM “THIS CODE” SHALL MEAN THE HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING.
- (II) AS USED IN THIS SECTION, THE TERM “CODE OFFICIAL” SHALL MEAN THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS OR THE DIRECTOR’S AUTHORIZED DESIGNEE.
- (III) WHERE THE NAME OF THE JURISDICTION IS TO BE INDICATED IN ANY SECTION OF THIS CODE, INSERT “HOWARD COUNTY, MARYLAND”.

(2) *SECTION 101.1 TITLE.*

DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:  
*101.1 TITLE.* THESE REGULATIONS SHALL BE KNOWN AS THE HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING, HEREINAFTER REFERRED TO AS “THIS CODE”.

(3) *SECTION 101.2 SCOPE.*

DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:  
*SECTION 101.2 SCOPE.*

- (I) THE SCOPE OF THIS CODE IS LIMITED TO EXISTING STRUCTURES IN THE FOLLOWING OCCUPANCIES AS DEFINED IN THE HOWARD COUNTY BUILDING CODE:
- A. INSTITUTIONAL, USE GROUP I-1; AND
  - B. RESIDENTIAL,
    - 1. USE GROUPS R-1, R-2, R-4; AND
    - 2. USE GROUPS R-3 THAT ARE NOT OWNER-OCCUPIED, OCCUPIED BY THE OWNER’S IMMEDIATE FAMILY, OR OWNER-OCCUPIED WITH 2 OR MORE ROOMERS OR BOARDERS.
- (II) THIS CODE SHALL NOT APPLY TO THE FOLLOWING EXISTING OCCUPANCIES AS DEFINED IN THE HOWARD

COUNTY BUILDING CODE:

- A. ASSEMBLY, ALL USE GROUPS;
- B. BUSINESS, USE GROUP B;
- C. EDUCATIONAL, USE GROUP E;
- D. FACTORY AND INDUSTRIAL USE GROUPS F-1 AND F-2;
- E. HIGH HAZARD, ALL USE GROUPS;
- F. INSTITUTIONAL, USE GROUPS I-2, I-3, AND I-4;
- G. MERCANTILE, USE GROUP M; AND
- H. RESIDENTIAL, USE GROUP R-3, IF THE DWELLING IS:

- 1. OWNER OCCUPIED;
- 2. OCCUPIED BY MEMBERS OF THE OWNER'S IMMEDIATE FAMILY; OR
- 3. OWNER OCCUPIED HAVING NO MORE THAN ONE ROOMER OR BOARDER.

(III) THIS CODE SHALL CONSTITUTE THE MINIMUM REQUIREMENTS AND STANDARDS FOR PREMISES, STRUCTURES, EQUIPMENT, AND FACILITIES FOR LIGHT, VENTILATION, SPACE, HEATING, SANITATION, PROTECTION FROM THE ELEMENTS, LIFE SAFETY, SAFETY FROM FIRE AND OTHER HAZARDS, SAFE AND SANITARY MAINTENANCE; RESPONSIBILITIES OF AN OWNER, OPERATOR, OR OCCUPANT; THE OCCUPANCY OF EXISTING STRUCTURES AND PREMISES; AND FOR ADMINISTRATION, ENFORCEMENT, AND PENALTIES.

(4) *SECTION 101.3 INTENT.*

IN THE LAST SENTENCE, DELETE “*INTERNATIONAL EXISTING BUILDING CODE*” AND SUBSTITUTE “HOWARD COUNTY BUILDING CODE, AS ADOPTED IN TITLE 3, SUBTITLE 1 OF THE HOWARD COUNTY CODE”.

1           (5)    *SECTION 101.5 LICENSING.*

2                   ADD NEW SECTION 101.5 AFTER SECTION 101.4 AS FOLLOWS:

3                   *101.5 LICENSING.* A STRUCTURE WITHIN THE SCOPE OF THIS  
4                   CODE SHALL NOT BE OCCUPIED UNLESS THE PROPERTY  
5                   OWNER OBTAINS THE LICENSE REQUIRED PURSUANT TO  
6                   TITLE 14, SUBTITLE 9 OF THE HOWARD COUNTY CODE.

7           (6)    *SECTION 102.3 APPLICATION OF OTHER CODES.*

8                   (I)     DELETE “*INTERNATIONAL EXISTING BUILDING CODE*”  
9                             AND SUBSTITUTE “HOWARD COUNTY BUILDING CODE,  
10                            AS ADOPTED IN TITLE 3, SUBTITLE 1 OF THE HOWARD  
11                            COUNTY CODE”.

12                  (II)    DELETE “*INTERNATIONAL ZONING CODE*” AND  
13                             SUBSTITUTE “HOWARD COUNTY ZONING  
14                            REGULATIONS, AS ADOPTED IN TITLE 16 OF THE  
15                            HOWARD COUNTY CODE”.

16          (7)    *SECTION 102.6 HISTORIC BUILDINGS.*

17                   DELETE THIS SECTION.

18          (8)    *SECTION 102.7 REFERENCED CODES AND STANDARDS.*

19                   DELETE “CHAPTER 8” AND SUBSTITUTE “THE HOWARD  
20                   COUNTY BUILDING CODE AS ADOPTED IN TITLE 3, SUBTITLE 1  
21                   OF THE HOWARD COUNTY CODE, AS APPLICABLE, ”.

22          (9)    *SECTION 103. DEPARTMENT OF PROPERTY MAINTENANCE*  
23                   *INSPECTION.*

24                   DELETE THE NAME OF THIS SECTION, “DEPARTMENT OF  
25                   PROPERTY MAINTENANCE INSPECTION” AND SUBSTITUTE  
26                   “DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS”.

27          (10)   *SECTION 103.1 GENERAL.*

28                   DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:

29                   *103.1 GENERAL.* THE CODE OFFICIAL SHALL BE THE DIRECTOR  
30                   OF THE HOWARD COUNTY DEPARTMENT OF INSPECTIONS,  
31                   LICENSES AND PERMITS OR THE DIRECTOR’S AUTHORIZED

- 1                   DESIGNEE.
- 2           (11)   *SECTION 103.4 LIABILITY.*
- 3                   (I)     IN THE FIRST SENTENCE, DELETE “AN ACT” AND
- 4                               SUBSTITUTE “ANY LAWFUL ACT”;
- 5                   (II)    IN THE SECOND SENTENCE, DELETE “UNTIL FINAL
- 6                               TERMINATION OF THE PROCEEDINGS” AND SUBSTITUTE
- 7                               “IN ACCORDANCE WITH THE PROVISIONS OF
- 8                               MARYLAND LAW”; AND
- 9                   (III)   IN THE THIRD SENTENCE, DELETE “DEPARTMENT OF
- 10                              PROPERTY MAINTENANCE INSPECTION” AND
- 11                              SUBSTITUTE “DEPARTMENT OF INSPECTIONS, LICENSES
- 12                              AND PERMITS”.
- 13           (12)   *SECTION 103.5 FEES.*
- 14                   DELETE THIS SECTION.
- 15           (13)   *SECTION 104.4 RIGHT OF ENTRY.*
- 16                   DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:
- 17                              *104.4 RIGHT OF ENTRY.* THE CODE OFFICIAL IS AUTHORIZED
- 18                              TO ENTER A DWELLING UNIT, STRUCTURE, OR PREMISES AT
- 19                              REASONABLE TIMES SOLELY FOR THE PURPOSE OF
- 20                              INSPECTING FOR COMPLIANCE WITH THIS CODE. IF ENTRY IS
- 21                              REFUSED, THE CODE OFFICIAL MAY SEEK A COURT ORDER TO
- 22                              PERMIT ENTRY AND FREE ACCESS TO THE DWELLING UNIT,
- 23                              STRUCTURE, OR PREMISES.
- 24           (14)   *SECTION 104.7 DEPARTMENT RECORDS.*
- 25                   DELETE “IN EXISTENCE” AND SUBSTITUTE “SUBJECT TO THE
- 26                              LICENSING PROVISIONS OF TITLE 14, SUBTITLE 9 OF THE
- 27                              HOWARD COUNTY CODE”.
- 28           (15)   *104.9 ACCESS BY OWNER OR OPERATOR.*
- 29                   ADD NEW SECTION 104.9 AFTER SECTION 104.8 AS FOLLOWS:
- 30                              *104.9 ACCESS BY OWNER OR OPERATOR.* AN OCCUPANT OF A
- 31                              DWELLING UNIT, STRUCTURE, OR PREMISES SHALL GIVE THE

1 OWNER, OPERATOR, OR AN AGENT OR EMPLOYEE OF THE  
2 OWNER OR OPERATOR ACCESS TO ANY PART OF THE  
3 DWELLING UNIT, STRUCTURE, OR PREMISES AT REASONABLE  
4 TIMES FOR THE PURPOSE OF MAKING INSPECTION,  
5 MAINTENANCE, REPAIRS, OR ALTERATIONS AS ARE  
6 NECESSARY TO COMPLY WITH THIS CODE.

7 (16) *SECTION 106.1 UNLAWFUL ACTS.*

8 DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:

9 *106.1 UNLAWFUL ACTS.* AN OWNER OR OCCUPANT SHALL NOT  
10 ERECT, CONSTRUCT, ALTER, EXTEND, REPAIR, REMOVE,  
11 DEMOLISH, MAINTAIN, FAIL TO MAINTAIN, PROVIDE, FAIL TO  
12 PROVIDE, OCCUPY, PERMIT ANOTHER PERSON TO OCCUPY  
13 ANY PREMISES, PROPERTY, STRUCTURE, DWELLING UNIT, OR  
14 EQUIPMENT REGULATED BY THIS CODE, OR CAUSE THE SAME  
15 TO BE DONE IN VIOLATION OF ANY OF THE PROVISIONS OF  
16 THIS CODE; FAIL TO OBEY A LAWFUL ORDER OF THE CODE  
17 OFFICIAL; OR REMOVE OR DEFACE A PLACARD OR NOTICE  
18 POSTED UNDER A PROVISION OF THIS CODE.

19 (17) *SECTION 106.3 PROSECUTION FOR VIOLATION.*

20 DELETE THIS SUBSECTION AND SUBSTITUTE THE FOLLOWING:

21 *SECTION 106.3 ENFORCEMENT AND PENALTIES.* A PERSON  
22 WHO VIOLATES A PROVISION OF THIS CODE IS GUILTY OF A  
23 MISDEMEANOR AND, UPON CONVICTION, IS SUBJECT TO A  
24 FINE, NOT EXCEEDING \$1,000, OR IMPRISONMENT, NOT  
25 EXCEEDING 30 DAYS, OR BOTH. ALTERNATIVELY, AND IN  
26 ADDITION TO AND CONCURRENT WITH ALL OTHER REMEDIES  
27 AT LAW OR AT EQUITY, THE DEPARTMENT OF INSPECTIONS,  
28 LICENSES AND PERMITS MAY ENFORCE THIS CODE WITH  
29 CIVIL PENALTIES AS PROVIDED IN TITLE 24 "CIVIL  
30 PENALTIES" OF THE HOWARD COUNTY CODE. A VIOLATION  
31 OF THIS SECTION IS A CLASS B OFFENSE. EACH DAY THAT A

1 VIOLATION EXISTS IS A SEPARATE OFFENSE.

2 (18) *SECTION 106.4 VIOLATION PENALTIES.*

3 DELETE THIS SECTION AND SUBSTITUTE THE FOLLOWING:

4 *SECTION 106.4 REVOCATION.* THE DIRECTOR OF INSPECTIONS,  
5 LICENSES AND PERMITS MAY SUSPEND, REVOKE, OR REFUSE  
6 TO RENEW A RENTAL HOUSING LICENSE IF THE CODE  
7 OFFICIAL FINDS THAT AN OWNER OR TENANT OF A PROPERTY  
8 HAS VIOLATED A PROVISION OF THIS CODE, THIS TITLE, OR  
9 REGULATIONS WHICH IMPLEMENT THIS TITLE IN  
10 CONNECTION WITH THE CONSTRUCTION, MAINTENANCE,  
11 ALTERATION, OR REPAIR OF A BUILDING, STRUCTURE,  
12 EQUIPMENT, OR LAND WITHIN HOWARD COUNTY.

13 (19) *SECTION 106.5 ABATEMENT OF VIOLATION.*

14 DELETE THIS SECTION.

15 (20) *SECTION 107.1 NOTICE TO PERSON RESPONSIBLE.*

16 (I) IN THE TITLE OF THE SUBSECTION, DELETE “PERSON  
17 RESPONSIBLE” AND SUBSTITUTE “OWNER”.

18 (II) IN THE FIRST SENTENCE, DELETE “PERSON  
19 RESPONSIBLE” AND SUBSTITUTE “OWNER”.

20 (21) *SECTION 107.2 FORM.*

21 DELETE SUBSECTIONS 5 AND 6.

22 (22) *SECTION 107.4. PENALTIES*

23 DELETE THE PHRASE “106.4” AND SUBSTITUTE “106.3”.

24 (23) *SECTION 108.2 CLOSING OF VACANT STRUCTURES.*

- 25 I. AT THE END OF THIS SECTION, AFTER THE WORDS  
26 “PRIVATE PERSONS” DELETE THE REMAINDER OF THIS  
27 SECTION;  
28 II. AFTER THE WORD “PERSONS” INSERT A PERIOD; AND  
29 III. AFTER THE WORD “PERSONS.” INSERT THE FOLLOWING:  
30 THE OWNER IS RESPONSIBLE FOR REIMBURSING THE  
31 COUNTY FOR THE COST OF NECESSARY REPAIRS. THE



DIRECTOR OF FINANCE SHALL BILL THE OWNER FOR THE COST OF THE WORK. THE OWNER SHALL PAY THE BILL FOR THE WORK WITHIN 30 DAYS OF BILLING. IF THE OWNER DOES NOT PAY THE BILL WITHIN 30 DAYS, THE CODE OFFICIAL MAY SEEK A COURT ORDER REQUIRING THE OWNER TO REIMBURSE THE COUNTY FOR THE COST OF REPAIRS.

(24) *SECTION 108.4 PLACARDING.*

DELETE THE WORD "BEARING" THROUGH THE END OF THE SENTENCE AND SUBSTITUTE THE FOLLOWING:  
BEARING THE PHRASE "UNLICENSED PREMISES, UNLAWFUL TO OCCUPY ANY CURRENTLY VACANT DWELLING UNIT IN THESE PREMISES OR ANY DWELLING UNIT BECOMING VACANT UNTIL A RENTAL HOUSING LICENSE HAS BEEN OBTAINED."

(25) *SECTION 109.4 EMERGENCY REPAIRS.*

ADD THE FOLLOWING TO THE END OF THIS SECTION:  
THE OWNER IS RESPONSIBLE FOR REIMBURSING THE COUNTY FOR THE COST OF NECESSARY REPAIRS. THE DIRECTOR OF FINANCE SHALL BILL THE OWNER FOR THE COST OF THE WORK. THE OWNER SHALL PAY THE BILL FOR THE WORK WITHIN 30 DAYS OF BILLING. IF THE OWNER DOES NOT PAY THE BILL WITHIN 30 DAYS, THE CODE OFFICIAL MAY SEEK A COURT ORDER REQUIRING THE OWNER TO REIMBURSE THE COUNTY FOR THE COST OF REPAIRS.

(26) *SECTION 109.5 COSTS OF EMERGENCY REPAIRS.*

DELETE THIS SECTION.

(27) *SECTION 110.3 FAILURE TO COMPLY.*

I. AT THE END OF THIS SECTION, AFTER THE WORDS "PRIVATE PERSONS" DELETE THE REMAINDER OF THIS SECTION;

- 1 II. AFTER THE WORD “PERSONS” INSERT A PERIOD; AND  
2 III. AFTER THE WORD “PERSONS.” INSERT THE FOLLOWING:  
3 THE OWNER IS RESPONSIBLE FOR REIMBURSING THE  
4 COUNTY FOR THE COST OF NECESSARY REPAIRS. THE  
5 DIRECTOR OF FINANCE SHALL BILL THE OWNER FOR  
6 THE COST OF THE WORK. THE OWNER SHALL PAY THE  
7 BILL FOR THE WORK WITHIN 30 DAYS OF BILLING. IF  
8 THE OWNER DOES NOT PAY THE BILL WITHIN 30 DAYS,  
9 THE CODE OFFICIAL MAY SEEK A COURT ORDER  
10 REQUIRING THE OWNER TO REIMBURSE THE COUNTY  
11 FOR THE COST OF REPAIRS.

12 (28) *SECTION 111 MEANS OF APPEAL .*

13 DELETE THIS SECTION IN ITS ENTIRETY.

14 (29) *SECTION 202 GENERAL DEFINITIONS.*

- 15 (I) DELETE THE DEFINITION FOR “DWELLING UNIT” AND  
16 SUBSTITUTE THE FOLLOWING:

17 **DWELLING UNIT.** A BUILDING, STRUCTURE, OR ANY  
18 PORTION OF A BUILDING OR STRUCTURE THAT  
19 CONTAINS A SINGLE UNIT PROVIDING INDEPENDENT  
20 LIVING FACILITIES FOR ONE OR MORE PERSONS,  
21 INCLUDING PERMANENT PROVISIONS FOR LIVING,  
22 EATING, COOKING, OR SLEEPING. A DWELLING UNIT  
23 SHALL INCLUDE, WITHOUT LIMITATION, A ONE-FAMILY  
24 HOUSE, SINGLE-FAMILY HOUSE, APARTMENT,  
25 APARTMENT HOUSE, BOARDING HOUSE, ROOMING  
26 HOUSE, DORMITORY, ROOMING UNIT, EFFICIENCY UNIT,  
27 HOTEL, MOTEL, PREMISES, OR COMMON AREA.

- 28 (II) DELETE THE DEFINITION FOR “OWNER” AND  
29 SUBSTITUTE THE FOLLOWING:

30 **OWNER.** A PERSON, AGENT, OPERATOR, FIRM, OR  
31 CORPORATION HAVING A LEGAL OR EQUITABLE

1 INTEREST IN THE DWELLING UNIT; HOLDING  
2 RECORDED TITLE IN THE OFFICIAL RECORDS OF THE  
3 STATE, COUNTY, OR MUNICIPALITY; OR JOINTLY OR  
4 SEVERALLY HAVING CONTROL OF THE PROPERTY,  
5 INCLUDING, WITHOUT LIMITATION, AN EXECUTOR,  
6 ADMINISTRATOR, TRUSTEE, RECEIVER, GUARDIAN, OR  
7 OTHER REPRESENTATIVE APPOINTED ACCORDING TO  
8 LAW, AND THE SENIOR OFFICER, DIRECTOR, OR  
9 TRUSTEE OF THE ASSOCIATION OF UNIT OWNERS OF A  
10 CONDOMINIUM.

11 (30) *SECTION 304.14 INSECT SCREENS.*

12 DELETE “DURING THE PERIOD FROM [DATE] TO [DATE],”.

13 (31) *SUBSECTION 305.3.1 LEAD-BASED PAINT.*

14 ADD NEW SUBSECTION 305.3.1 AFTER SECTION 305.3 AS  
15 FOLLOWS:

16 *305.3.1. LEAD BASED PAINT.* THE OWNER OF A DWELLING UNIT  
17 SHALL COMPLY WITH REQUIREMENTS OF THE MARYLAND  
18 DEPARTMENT OF THE ENVIRONMENT FOR LEAD-BASED PAINT  
19 AND SHALL PROVIDE THE REQUIRED DISCLOSURES IN  
20 ACCORDANCE WITH STATE LAW.

21 (32) *SUBSECTION 307.2.1 RUBBISH STORAGE FACILITIES.*

22 ADD THE FOLLOWING AT THE END OF THIS SUBSECTION:  
23 EXCEPTION: THE OCCUPANT OF A ONE-FAMILY DWELLING  
24 SHALL BE RESPONSIBLE FOR THE SAFE AND SANITARY  
25 STORAGE AND REMOVAL OF ALL RUBBISH.

26 (33) *SUBSECTION 307.3.1 GARBAGE FACILITIES.*

27 ADD THE FOLLOWING AT THE END OF THIS SUBSECTION:  
28 EXCEPTION: THE OCCUPANT OF A ONE-FAMILY DWELLING  
29 SHALL BE RESPONSIBLE FOR THE SAFE AND SANITARY  
30 STORAGE AND REMOVAL OF ALL GARBAGE.

31 (34) *SECTION 404.8 LOCATION OF FOOD PREPARATION EQUIPMENT.*

1 ADD NEW SECTION 404.8 AFTER SECTION 404.7 AS FOLLOWS:  
2 *404.8 LOCATION OF FOOD PREPARATION EQUIPMENT. A*  
3 *PERSON SHALL NOT USE PORTABLE COOKING EQUIPMENT,*  
4 *INCLUDING, BUT NOT LIMITED TO, A BARBEQUE, CHARCOAL,*  
5 *OR PROPANE GRILL OR STOVE WITHIN 15 FEET OF A*  
6 *MULTIFAMILY DWELLING.*

7 (35) *SECTION 602.2 RESIDENTIAL OCCUPANCIES.*  
8 IN THE FIRST SENTENCE, DELETE “INDICATED IN APPENDIX D  
9 OF THE INTERNATIONAL PLUMBING CODE”.

10 (36) *SECTION 602.3 HEAT SUPPLY.*  
11 (I) IN THE FIRST SENTENCE, DELETE “[DATE] TO [DATE]”  
12 AND SUBSTITUTE “OCTOBER 1 TO MAY 1”; AND  
13 (II) IN THE FIRST EXCEPTION, DELETE “SHALL BE AS  
14 INDICATED IN APPENDIX D OF THE INTERNATIONAL  
15 PLUMBING CODE”

16 (37) *SECTION 602.4 OCCUPIABLE WORK SPACES.*  
17 DELETE “[DATE] TO [DATE]” AND SUBSTITUTE “OCTOBER 1 TO  
18 MAY 1”.

19 (38) *SECTION 603.2 REMOVAL OF COMBUSTION PRODUCTS.*  
20 ADD THE FOLLOWING AS THE SECOND EXCEPTION TO THIS  
21 SECTION:  
22 EXCEPTION NUMBER 2: PORTABLE UNVENTED KEROSENE  
23 HEATERS ARE NOT PERMITTED.

24 (39) *SECTION 604.2 SERVICE.*  
25 DELETE “ICC *ELECTRICAL CODE*” AND SUBSTITUTE “HOWARD  
26 COUNTY ELECTRICAL CODE ADOPTED AT TITLE 3, SUBTITLE 2  
27 OF THE HOWARD COUNTY CODE”.

28 (40) *SECTION 701.3 TESTING AND MAINTENANCE.*  
29 ADD NEW SECTION 701.3 AFTER SECTION 701.2 AS FOLLOWS:  
30 *701.3 TESTING AND MAINTENANCE. SPRINKLER SYSTEMS SHALL*  
31 *BE CERTIFIED AS FULLY OPERATIONAL AT LEAST ANNUALLY*

1 BY A MARYLAND STATE LICENSED SPRINKLER CONTRACTOR.  
2 FIRE ALARM SYSTEMS SHALL BE CERTIFIED AT LEAST  
3 ANNUALLY BY AN APPROVED COMPANY OR INDIVIDUAL.

4 (41) *SECTION 702.1 GENERAL.*

5 DELETE “INTERNATIONAL FIRE CODE” AND SUBSTITUTE  
6 “HOWARD COUNTY FIRE PREVENTION CODE ADOPTED AT  
7 TITLE 17, SUBTITLE 1 OF THE HOWARD COUNTY CODE”.

8 (42) *SUBSECTION 702.1.1 EMERGENCY PLANNING.*

9 ADD NEW SUBSECTION 702.1.1 AFTER SECTION 702.1 AS  
10 FOLLOWS:

11 *702.1.1 EMERGENCY PLANNING.* THE ADMINISTRATION OF  
12 EVERY RESIDENTIAL CARE/ASSISTED LIVING FACILITY SHALL  
13 HAVE A PLAN IN EFFECT TO PROTECT A PERSON IN THE  
14 EVENT OF A FIRE. THE PLAN SHALL BE IN WRITING AND  
15 SHALL BE AVAILABLE TO ALL SUPERVISORY PERSONNEL.  
16 THE PLAN SHALL INCLUDE STAFF RESPONSES NEEDED TO  
17 ENSURE THE SAFETY OF ALL RESIDENTS. THE PLAN SHALL  
18 BE AMENDED TO ENSURE THE SAFETY OF ALL RESIDENTS  
19 AND SHALL BE AMENDED OR REVISED AS THE RESIDENTS OR  
20 THEIR NEEDS CHANGE. STAFF SHALL BE INSTRUCTED OF  
21 THEIR DUTIES AND RESPONSIBILITIES UNDER THE PLAN AND  
22 A RECORD OF SUCH INSTRUCTIONS SHALL BE MAINTAINED.  
23 A COPY OF THE PLAN SHALL BE READILY AVAILABLE AT ALL  
24 TIMES WITHIN THE FACILITY. RESIDENTIAL OCCUPANTS ARE  
25 ENCOURAGED TO CONDUCT FIRE EXIT DRILLS WITH  
26 SUFFICIENT FREQUENCY TO FAMILIARIZE THEMSELVES WITH  
27 THE DRILL PROCEDURE AND TO CONDUCT THE DRILL AS A  
28 MATTER OF ESTABLISHED ROUTINE. DRILLS SHOULD BE  
29 HELD AT UNEXPECTED TIMES AND UNDER VARYING  
30 CONDITIONS TO SIMULATE THE UNUSUAL CONDITIONS THAT  
31 OCCUR IN THE CASE OF FIRE.

- 1 (43) *SECTION 702.2 AISLES.*  
2 DELETE “*INTERNATIONAL FIRE CODE*” AND SUBSTITUTE  
3 “HOWARD COUNTY FIRE PREVENTION CODE, ADOPTED AT  
4 TITLE 17, SUBTITLE 1 OF THE HOWARD COUNTY CODE,”.
- 5 (44) *SECTION 702.3 LOCKED DOORS.*  
6 DELETE “*INTERNATIONAL BUILDING CODE*” AND SUBSTITUTE  
7 “HOWARD COUNTY BUILDING CODE, ADOPTED AT TITLE 3,  
8 SUBTITLE 1 OF THE HOWARD COUNTY CODE,”.
- 9 (45) *SECTION 704.1 LOCKED DOORS.*  
10 DELETE “*INTERNATIONAL FIRE CODE*” AND SUBSTITUTE  
11 “HOWARD COUNTY FIRE PREVENTION CODE, ADOPTED AT  
12 TITLE 17, SUBTITLE 1 OF THE HOWARD COUNTY CODE,”.
- 13 (46) *SECTION 704.2 SMOKE ALARMS.*  
14 IN THE LAST SENTENCE, DELETE “*INTERNATIONAL FIRE CODE*”  
15 AND SUBSTITUTE “HOWARD COUNTY FIRE PREVENTION  
16 CODE, ADOPTED AT TITLE 17, SUBTITLE 1 OF THE HOWARD  
17 COUNTY CODE,”.
- 18 (47) *SECTION 702.5 ARRANGEMENT.*  
19 ADD NEW SECTION 702.5 AFTER SECTION 702.4 AS FOLLOWS:  
20 *702.5 ARRANGEMENT.* REQUIRED PATH OR TRAVEL FROM ANY  
21 ROOM SHALL NOT BE THROUGH ANOTHER ROOM THAT IS  
22 NOT UNDER THE IMMEDIATE CONTROL OF THE OCCUPANT OF  
23 THE FIRST ROOM OR THROUGH A BATHROOM OR OTHER  
24 SPACE SUBJECT TO LOCKING.
- 25 (48) *SECTION 705 STORAGE OF HAZARDOUS MATERIAL.*  
26 IN CHAPTER 7, ADD NEW SECTION 705 AFTER SECTION 704 AS  
27 FOLLOWS:  
28 *SECTION 705 STORAGE OF HAZARDOUS MATERIALS.*  
29 *705.1 HAZARDOUS MATERIALS.* A PERSON SHALL NOT STORE  
30 OR ACCUMULATE COMBUSTIBLE, FLAMMABLE, EXPLOSIVE,  
31 OTHER HAZARDOUS MATERIALS, SUCH AS PAINTS, VOLATILE

OILS, OR CLEANING FLUIDS, OR COMBUSTIBLE RUBBISH,  
SUCH AS WASTEPAPER, BOXES AND RAGS, UNLESS SUCH  
STORAGE COMPLIES WITH THE APPLICABLE REQUIREMENTS  
OF THE HOWARD COUNTY BUILDING CODE AND THE  
HOWARD COUNTY FIRE PREVENTION CODE.

*705.2 STORAGE OF VEHICLES WHICH CONTAIN HAZARDOUS  
MATERIALS.* IN A COMMON AREA, PATIO, BALCONY,  
HALLWAY, STAIRWELL OF A STRUCTURE OR PREMISES, A  
PERSON SHALL NOT STORE OR ACCUMULATE A  
MOTORCYCLE, MOPED, GASOLINE-POWERED LAWNMOWER,  
OR OTHER SIMILAR EQUIPMENT WHICH MAY CONTAIN A  
HAZARDOUS MATERIAL INCLUDING, WITHOUT LIMITATION,  
GASOLINE.

***Section 4. Be It Further Enacted** by the County Council of Howard County, Maryland,  
that Section 14.900 “Definitions”, Section 14.901 “Rental Housing License”, Section  
14.902 “Enforcement authority”, Section 14.903 “Notices and orders”, Section 14.904  
“Appeal”, and Section 14.905 “Enforcement and Penalties” are added to Subtitle 9  
“Rental Housing License” of Title 14 “Licenses, Inspections and Permits” of the  
Howard County Code to read as follows:*

## **TITLE 14. LICENSES, INSPECTIONS AND PERMITS.**

### **SUBTITLE 9. RENTAL HOUSING LICENSE.**

#### **SECTION 14.900. DEFINITIONS.**

IN THIS SUBTITLE THE FOLLOWING TERMS HAVE THE MEANINGS  
INDICATED.

(A) “DIRECTOR” MEANS THE DIRECTOR OF THE HOWARD COUNTY  
DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS OR THE  
DIRECTOR’S AUTHORIZED DESIGNEE.

(B) “DWELLING” MEANS AN ENCLOSED SPACE WHOLLY OR PARTLY

- 1 USED OR INTENDED TO BE USED FOR LIVING AND SLEEPING.
- 2 (C) "DWELLING UNIT" HAS THE MEANING SET FORTH IN THE HOWARD  
3 COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING.
- 4 (D) "OWNER" HAS THE MEANING SET FORTH IN THE HOWARD COUNTY  
5 PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING.
- 6 (E) "PREMISES" HAS THE MEANING SET FORTH IN THE HOWARD  
7 COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING.
- 8 (F) "HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL  
9 HOUSING" MEANS THE INTERNATIONAL PROPERTY MAINTENANCE  
10 CODE, 2003 EDITION, AS ADOPTED IN TITLE 3, SUBTITLE 7 OF THE  
11 HOWARD COUNTY CODE.
- 12

13 **SECTION 14.901 RENTAL HOUSING LICENSE.**

- 14 (A) *RENTAL HOUSING LICENSE REQUIRED.* EXCEPT AS PROVIDED IN  
15 SUBSECTION (B) OF THIS SECTION, THE OWNER OF A DWELLING  
16 UNIT IN HOWARD COUNTY THAT IS WITHIN THE SCOPE OF THE  
17 HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL  
18 HOUSING SHALL NOT RENT OR LEASE A DWELLING UNIT UNLESS  
19 THE OWNER OBTAINS A RENTAL HOUSING LICENSE UNDER THIS  
20 SUBTITLE. THE PUBLIC AREAS OF ALL MULTIFAMILY DWELLINGS  
21 SHALL BE LICENSED REGARDLESS OF THE OWNERSHIP OF THE  
22 INDIVIDUAL DWELLING UNITS.
- 23 (B) *EXCEPTIONS.*
- 24 (1) SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO AN  
25 OCCUPANCY OF LESS THAN 90 DAYS IF:
- 26 (I) THE SELLER OF A DWELLING UNIT ALLOWS THE  
27 PURCHASER TO OCCUPY THE DWELLING UNIT PRIOR TO  
28 SETTLEMENT; OR
- 29 (II) THE PURCHASER OF A DWELLING UNIT ALLOWS THE  
30 SELLER TO OCCUPY THE DWELLING UNIT AFTER THE  
31 SETTLEMENT.



- 1 (2) A RENTAL HOUSING LICENSE IS NOT REQUIRED FOR A  
2 HOSPITAL OR A PRISON.
- 3 (C) *RENTAL HOUSING LICENSE FEE.* UPON THE RECOMMENDATION OF  
4 THE COUNTY EXECUTIVE, THE COUNTY COUNCIL SHALL SET BY  
5 RESOLUTION THE AMOUNT OF A RENTAL HOUSING LICENSE FEE,  
6 LICENSE TRANSFER FEE, AND ANY OTHER SPECIAL FEE ASSOCIATED  
7 WITH THE LICENSING OF RENTAL HOUSING.
- 8 (D) *APPLICATION.*
- 9 (1) THE OWNER OF A DWELLING UNIT SHALL APPLY FOR THE  
10 LICENSE AND PAY ALL APPROPRIATE FEES. AN APPLICATION  
11 FOR A RENTAL HOUSING LICENSE SHALL BE MADE ON A  
12 FORM PROVIDED BY THE DIRECTOR AND SUBMITTED  
13 TOGETHER WITH THE LICENSE FEE. IF ANY INFORMATION  
14 CONTAINED ON AN APPLICATION CHANGES AFTER A LICENSE  
15 IS ISSUED, THE LICENSE HOLDER SHALL PROVIDE THE  
16 DIRECTOR WITH THE UPDATED INFORMATION.
- 17 (2) A RENTAL HOUSING LICENSE APPLICATION SHALL INCLUDE:
- 18 (I) A DESCRIPTION OF THE DWELLING UNIT BY UNIT  
19 NUMBER (IF APPROPRIATE), HOUSE NUMBER, STREET  
20 NAME, ZIP CODE, AND THE NAME OF THE COMPLEX IF  
21 THE DWELLING UNIT IS LOCATED IN A NAMED  
22 COMPLEX;
- 23 (II) THE NAME AND ADDRESS OF:
- 24 A. THE OWNER OF RECORD AND OF THE MANAGING  
25 OPERATOR; AND
- 26 B. IF THE OWNER IS A CORPORATION, THE NAME  
27 AND ADDRESS OF THE RESIDENT AGENT;
- 28 (III) THE NAME AND BUSINESS ADDRESS OF AN ADULT  
29 INDIVIDUAL WHO :
- 30 A. IS A RESIDENT OF MARYLAND;
- 31 B. IS CUSTOMARILY PRESENT IN A BUSINESS OFFICE

1 IN MARYLAND; AND

2 C. WHO SHALL BE DESIGNATED BY THE OWNER AS

3 THE OWNER'S AUTHORIZED AGENT FOR

4 RECEIVING NOTICES, COURT PROCESS, AND

5 OTHER PAPERS ON BEHALF OF THE OWNER;

6 HOWEVER, AN OWNER WHO IS A NATURAL

7 PERSON, RESIDENT OF MARYLAND, AND WHO IS

8 CUSTOMARILY PRESENT IN A BUSINESS OFFICE

9 IN MARYLAND MAY DESIGNATE THEMSELVES AS

10 THE AUTHORIZED AGENT;

11 (IV) THE TYPE OF DWELLING UNIT;

12 (V) THE NUMBER OF UNITS AND STORIES;

13 (VI) DATE AND TYPE OF CONSTRUCTION;

14 (VII) TYPE OF SMOKE DETECTORS;

15 (VIII) TYPE OF HEATING SYSTEM;

16 (IX) TYPE OF HOT WATER HEATING;

17 (X) SOURCE OF WATER; AND

18 (XI) TYPE OF SEWAGE DISPOSAL.

19 (E) *ISSUANCE OF LICENSE*. UPON RECEIPT OF AN APPLICATION FOR A

20 RENTAL HOUSING LICENSE, THE DIRECTOR SHALL INSPECT THE

21 DWELLING UNIT. IF THE DWELLING UNIT MEETS THE

22 REQUIREMENTS OF THE HOWARD COUNTY PROPERTY

23 MAINTENANCE CODE FOR RENTAL HOUSING, THE DIRECTOR SHALL

24 ISSUE A LICENSE. IF THE DWELLING UNIT DOES NOT MEET THE

25 REQUIREMENTS OF THE HOWARD COUNTY PROPERTY

26 MAINTENANCE CODE FOR RENTAL HOUSING, THE DIRECTOR SHALL

27 ISSUE A WRITTEN DENIAL OF A LICENSE AND SHALL INDICATE

28 WHAT NEEDS TO BE DONE TO BRING THE DWELLING UNIT INTO

29 CONFORMITY WITH THE HOWARD COUNTY PROPERTY

30 MAINTENANCE CODE FOR RENTAL HOUSING. WHEN THE DWELLING

31 UNIT MEETS THE REQUIREMENTS OF THE HOWARD COUNTY

1 PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING, THE  
2 DIRECTOR SHALL ISSUE THE LICENSE.

3 (F) *RENEWAL OF LICENSE.* A RENTAL HOUSING LICENSE MAY BE  
4 RENEWED PROVIDED THAT THE DWELLING UNIT CONTINUES TO  
5 MEET THE REQUIREMENTS OF THE HOWARD COUNTY PROPERTY  
6 MAINTENANCE CODE FOR RENTAL HOUSING. THE DIRECTOR SHALL  
7 NOT ISSUE A RENEWAL LICENSE FOR ANY DWELLING UNIT FOR  
8 WHICH THERE ARE OUTSTANDING VIOLATION NOTICES FROM ANY  
9 COUNTY AGENCY.

10 (G) *DURATION OF LICENSE.* A RENTAL HOUSING LICENSE IS VALID FOR A  
11 PERIOD OF 2 YEARS. IF A LICENSE IS REISSUED AFTER REVOCATION  
12 OR A LICENSE IS RENEWED AFTER CORRECTION OF AN  
13 OUTSTANDING VIOLATION, THE DIRECTOR MAY LIMIT THE LICENSE  
14 TO A 6-MONTH PERIOD. THE DIRECTOR MAY LIMIT FUTURE  
15 RENEWALS AFTER THE 6 MONTH PERIOD TO 1-YEAR PERIODS FOR A  
16 PERIOD OF 3 YEARS, UNTIL IT IS CONFIRMED THAT THE DWELLING  
17 UNIT IS BEING MAINTAINED TO STANDARDS SET FORTH IN THE  
18 HOWARD COUNTY PROPERTY MAINTENANCE CODE FOR RENTAL  
19 HOUSING. THE FEE FOR THE 6-MONTH OR 1-YEAR RENEWAL SHALL  
20 BE PRORATED BASED ON THE FEE FOR A 2-YEAR LICENSE.

21 (H) *TRANSFER OF LICENSE.* IF THERE IS A CHANGE OF OWNERSHIP OF A  
22 DWELLING UNIT AND THE NEW OWNER APPLIES TO THE DIRECTOR  
23 FOR A TRANSFER WITHIN 15 DAYS OF THE CHANGE OF OWNERSHIP,  
24 THE LICENSE MAY BE TRANSFERRED TO THE NEW OWNER FOR THE  
25 UNEXPIRED PORTION OF THE TERM FOR WHICH IT WAS ISSUED. THE  
26 APPLICATION FORM FOR A TRANSFER SHALL CONTAIN THE SAME  
27 INFORMATION AS THE APPLICATION FORM FOR A NEW LICENSE.  
28 THE DIRECTOR MAY CHARGE A TRANSFER FEE, TO BE SET BY  
29 RESOLUTION OF THE COUNTY COUNCIL UPON RECOMMENDATION  
30 OF THE COUNTY EXECUTIVE.

31 (I) *SUSPENSION OF LICENSE.* THE DIRECTOR MAY SUSPEND A RENTAL

1 HOUSING LICENSE IF THE OWNER OF A DWELLING UNIT FAILS TO  
2 CORRECT A VIOLATION WITHIN THE TIME PERIOD STATED IN THE  
3 NOTICE AND ORDER ISSUED BY THE DIRECTOR. THE SUSPENSION  
4 SHALL END UPON CORRECTION OF THE VIOLATION.

5 (J) *REVOCATION OF LICENSE.* THE DIRECTOR MAY REVOKE A RENTAL  
6 HOUSING LICENSE IF ONE OF THE FOLLOWING OCCURS:

7 (I) THE OWNER OF THE DWELLING UNIT FAILS:

8 A. TO KEEP THE DWELLING UNIT IN GOOD REPAIR; OR  
9 B. TO CORRECT A VIOLATION WITHIN THE TIME PERIOD  
10 STATED IN A NOTICE OR ORDER ISSUED BY THE  
11 DIRECTOR;

12 (II) THE DWELLING UNIT PRESENTS A DANGER TO THE HEALTH,  
13 SAFETY, OR WELFARE OF THE PUBLIC OR THE OCCUPANTS;  
14 OR

15 (III) THE DWELLING UNIT FAILS TO COMPLY WITH THE  
16 PROVISIONS OF THE HOWARD COUNTY PROPERTY  
17 MAINTENANCE CODE FOR RENTAL HOUSING.

18 (K) *PLACARD.* UPON DENIAL, SUSPENSION, REVOCATION, OR  
19 EXPIRATION OF A RENTAL HOUSING LICENSE, THE DIRECTOR SHALL  
20 PLACE A PLACARD UPON THE DWELLING UNIT IN ACCORDANCE  
21 WITH THE PROCEDURES SET FORTH IN THE HOWARD COUNTY  
22 PROPERTY MAINTENANCE CODE FOR RENTAL HOUSING.

23  
24 **SECTION 14.902 ENFORCEMENT AUTHORITY.**

25 (A) *IN GENERAL.* THE DIRECTOR SHALL INTERPRET, ADMINISTER,  
26 ENFORCE, AND IMPLEMENT THE PROVISIONS OF THIS SUBTITLE.

27 (B) *NOTICES AND ORDERS.* THE DIRECTOR MAY ISSUE A NOTICE OR  
28 ORDER TO ABATE A VIOLATION OF THIS SUBTITLE.

29 (C) *INSPECTIONS.* THE DIRECTOR MAY ENTER A DWELLING UNIT AT A  
30 REASONABLE TIME TO MAKE INSPECTIONS PURSUANT TO THIS  
31 SUBTITLE. INSPECTIONS ARE PERFORMED FOR THE PROTECTION

1 AND PROMOTION OF PUBLIC SAFETY, HEALTH, AND WELFARE.  
2 INSPECTIONS, WHICH ARE PURELY GOVERNMENTAL IN NATURE,  
3 ARE MADE SOLELY FOR THE PUBLIC BENEFIT AND SHALL NOT BE  
4 CONSTRUED AS PROVIDING ANY WARRANTY OR REPRESENTATION  
5 CONCERNING THE CONDITION OF THE DWELLING UNIT TO THE  
6 PUBLIC.

7 (D) *RIGHT OF ENTRY.*

8 (1) THE OWNER, OCCUPANT, OR OTHER PERSON IN CHARGE OF A  
9 DWELLING UNIT SHALL GIVE THE DIRECTOR ENTRY AND  
10 FREE ACCESS TO ANY PART OF THE DWELLING UNIT FOR THE  
11 PURPOSES OF INSPECTION. IF ENTRY OR ACCESS IS REFUSED  
12 OR RESTRICTED, THE DIRECTOR MAY SEEK A COURT ORDER  
13 TO ALLOW ENTRY AND FREE ACCESS.

14 (2) THE OCCUPANT OF A DWELLING UNIT SHALL GIVE THE  
15 OWNER OR OPERATOR ACCESS AT REASONABLE TIMES TO  
16 MAKE INSPECTIONS AND TO CARRY OUT MAINTENANCE,  
17 REPAIRS, OR ALTERATIONS NECESSARY TO COMPLY WITH  
18 THE PROVISIONS OF THIS SUBTITLE.

19  
20 **SECTION 14.903. NOTICES AND ORDERS.**

21 (A) *VIOLATIONS.* IF THE DIRECTOR DETERMINES THAT THERE HAS BEEN  
22 A VIOLATION OF THIS SUBTITLE OR HAS REASONABLE GROUNDS TO  
23 BELIEVE THAT A VIOLATION HAS OCCURRED, THE DIRECTOR SHALL  
24 GIVE NOTICE OF THE VIOLATION UNDER SUBSECTIONS (B) AND (C)  
25 OF THIS SECTION.

26 (B) *FORM.* THE WRITTEN NOTICE SHALL INCLUDE:

27 (1) A DESCRIPTION OF THE DWELLING UNIT SUFFICIENT FOR  
28 IDENTIFICATION;

29 (2) A DESCRIPTION OF THE VIOLATION; AND

30 (3) A REASONABLE TIME PERIOD TO CORRECT THE VIOLATION.

31 (C) *SERVICE.* THE NOTICE SHALL BE SENT TO THE OWNER. THE NOTICE

1 IS PROPERLY SERVED UPON THE OWNER IF A COPY:

- 2 (1) IS DELIVERED TO THE OWNER PERSONALLY;
- 3 (2) IS SENT BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED,  
4 OR FIRST CLASS MAIL TO THE ADDRESS OF THE OWNER  
5 LISTED ON THE RENTAL HOUSING LICENSE APPLICATION;
- 6 (3) IS SENT BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED,  
7 OR FIRST CLASS MAIL TO THE OWNER'S AUTHORIZED  
8 MARYLAND AGENT AT THE ADDRESS LISTED ON THE RENTAL  
9 HOUSING APPLICATION;
- 10 (4) IS POSTED IN A CONSPICUOUS PLACE ON THE DWELLING  
11 UNIT; OR
- 12 (5) IF SERVICE CANNOT BE OBTAINED BY ONE OF THE METHODS  
13 SET FORTH ABOVE, SERVICE MAY BE OBTAINED BY  
14 PUBLISHING THE NOTICE AT LEAST ONCE IN A LOCAL  
15 NEWSPAPER OF GENERAL CIRCULATION.

16

17 **SECTION 14.904. APPEAL.**

18 ANY AGGRIEVED PERSON MAY APPEAL A DECISION OF THE  
19 DIRECTOR TO REVOKE, DENY, SUSPEND, OR APPROVE A RENTAL HOUSING  
20 LICENSE UNDER THIS SUBTITLE TO A BOARD OF APPEALS' HEARING  
21 EXAMINER IN ACCORDANCE WITH TITLE 2, SUBTITLE 2 OF THE HOWARD  
22 COUNTY CODE. .

23

24 **SECTION 14.905. ENFORCEMENT AND PENALTIES.**

- 25 (A) *GENERALLY.* THE DEPARTMENT MAY INSTITUTE ANY ACTION AT  
26 LAW OR EQUITY, INCLUDING INJUNCTION OR MANDAMUS, TO  
27 ENFORCE THE PROVISIONS OF THIS SUBTITLE.
- 28 (B) *CRIMINAL PENALTIES.* A PERSON WHO VIOLATES ANY PROVISION OF  
29 THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND UPON  
30 CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR  
31 IMPRISONMENT NOT EXCEEDING 30 DAYS OR BOTH.

1 (C) *CIVIL PENALTIES*. ALTERNATIVELY, AND IN ADDITION TO AND  
2 CONCURRENT WITH ALL OTHER REMEDIES, THE DEPARTMENT MAY  
3 ENFORCE THIS SUBTITLE PURSUANT TO TITLE 24, "CIVIL PENALTIES"  
4 OF THE HOWARD COUNTY CODE. A VIOLATION OF THIS SUBTITLE  
5 SHALL BE A CLASS B OFFENSE. EACH DAY THAT A VIOLATION  
6 EXISTS IS A SEPARATE OFFENSE.

7  
8 *Section 5. And Be It Further Enacted by the County Council of Howard County,*  
9 *Maryland, that this Act shall become effective 61 days after its enactment.*